

355 Temperance No 2

TRIAL OF ALCOHOL

BY JURY,

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AS IT TOOK PLACE

DURING THREE EVENINGS,

BEFORE



CROWDED AUDIENCES,

IN QUEBEC,

IN THE MONTH OF MARCH, 1852.

Reported by JOHN MORPHY, W. P., Gough Division, No. 1111,
Sons of Temperance, Quebec.



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1853.



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SONS OF TEMPERANCE.

It will be noticed by an advertisement in our columns, that the Sons of Temperance are still laboring for the entertainment of the public on the subject of the use of alcoholic liquors as beverages. The Order of the Sons, or rather the Divisions of the Order established here, have already accomplished an incalculable amount of good in the restoration of the inebriate, and in checking the progress of the ruinous habit of using strong drinks, as well as fortifying many in the practice of total abstinence. The mode adopted by the "Sons" on the present occasion is, so far as Quebec is concerned, a novel one ; but we have no hesitancy in giving our opinion that it is calculated to exhibit the evils arising from the use of inebriating liquors in a light in which they have never before been seen publicly ; and as we understand that considerable attention has been paid to the preparation of the case, we doubt not that the Trial of Alcohol will result in good to the cause it is intended to promote. We cheerfully invite all the friends of Temperance to show their appreciation of the principle, by giving the Divisions on the present occasion all the support which their efforts so richly deserve.—*Quebec Gazette*, March, 1852.

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TRIAL OF ALCOHOL.

Pursuant to notice, this important Trial was commenced on Tuesday evening, the 16th March, 1852, in the City of Quebec, under the auspices of Gough Division of the Sons of Temperance, and continued for three nights. Russell's large Concert Hall, was elegantly fitted up as a Court, and was crowded to excess each evening:—

Chief Justice,	Mr. JOHN MORPHY.
Puisne Judges,	MESSRS. KEMPT & MATHISON.
Clerk of Crown,	Mr. RICHD. J. SHAW.
Sheriff,	Mr. P. LESUEUR.
Crier,	Mr. J. BUXTON.
Attorney General,	Mr. THOMAS WHITE.
Junior Counsel for Prosecution,	Mr. BENJ. COLE.
Senior Counsel for Prisoner,	Mr. J. H. CRAIG.
Junior do do	Mr. JAMES BRENT.

All having taken their proper stations, the Court opened at seven o'clock.

Clerk of Crown—"Crier, make proclamation."

Crier—"Hear ye! hear ye! all manner of people who have any thing to do with the trial of the Queen against Alcohol, come forward, and you shall be heard. Long live the Queen."

Clerk of the Crown—"Crier, call the prisoner."

Crier—"Ebrietes Alcohol! Ebrietes Alcohol! come and appear; save you and your bail, as you are bound to do this day, or forfeit your recognizances."

Clerk of the Crown—"Crier, call Phill Skelton and Bryan Kelly, the prisoner's sureties."

Crier—"Phill Skelton! Phill Skelton! come into Court and bring forth the body of Ebrietes Alcohol, as you are bound to do this day, or forfeit your recognizance."

"Bryan Kelly! Bryan Kelly! come into Court, and bring forth the body of Ebrietes Alcohol, as you are bound to do this day, or forfeit your recognizance."

Counsellor Brent—"The Prisoner appears, my Lord."

Clerk of the Crown—"Mr. Sheriff, put forward the Prisoner."

(Here a cruet, with three decanters containing Brandy, Wine and Gin, was placed on a small table, in an elevated position, which caused a roar of laughter.)

Clerk of the Crown—"Ebrietes Alcohol, of the Town of Drunkenness, in the Parish of Dissipation, Spirit-vender, hold up your right hand."

1. You stand indicted for, that you, the said Ebrietes Alcohol, alias Rum, Brandy, Gin, Whisky, Beer, Wine and Cider, together with divers others diabolical liquors to the Jurors at present unknown, on the 1st day of January, in the 13th and 14th years of the reign of the Queen, not having the fear of the consequences in their hearts, and being moved and seduced by the Devil, contrary to all law, and with all their strength, disturbing the peace and tranquillity of the country, to disquiet, molest, and disturb, did wilfully, maliciously, and traitorously conspire, consult, and agree with divers other false and abominable liquors, to aid, seduce, persuade and procure Love, Humanity, Charity, Temperance, Self-respect, and divers others, the leading virtues of the human family, to become contemptible in the eyes of the noble, the just, and the good, by instilling into them horrible and malignant potions in contempt of our laws, to the evil example of all others in the like kind offending against the peace of our lady the Queen, her crown and dignity.

2. You also stand indicted for that you, the said Ebrietes Alcohol, did allure, entice, seduce and attract, with the hope of gain and filthy lucre, great numbers of the human family to enter into an alliance, combination, coalition and confederacy, under the titles of Distillers, Maltsters, Brewers, Wine and Spirit-dealers, Tavern, Sheebeen and Groggery-keepers, &c.; and that by various arts and stratagems, men were led to forsake their families, and to congregate in those places of awful scenes, bad precepts, and worse examples.

3. You also stand indicted for that you, the said Ebrietes Alcohol, aided and abetted by your agents, did, by wicked devices, lead men to the breaking of God's holy day, the neglect of His ordinances, and the despising of His house, by holding them in the chains of self-indulgence, blinding their minds to every sense of danger, hardening them against warnings and invitations, until sudden destruction overtakes them unawares, and they are unable to escape.

4. You also stand indicted for that you, the said Ebrietes Alcohol, under the guise and pretext of good fellowship, did traitorously compass the happiness of the human family, by introducing yourself as a promoter of harmony, an agreeable guest, and a consoler of the afflicted, and that when you gained admittance into families—hatred succeeded harmony—the agreeable guest became a disagreeable guzzler—the loving husband and father became a curse to his family, and the affectionate mother neglected her offspring.

5. You also stand indicted for that you, the said Ebrietes Alcohol, and your agents and abettors, did maliciously and feloniously intend, invent, and devise the ruin of the human family in mind, body, and estate, by the squandering of property, placing adversity, bankruptcy, prodigality, and sickness, in the room of wealth, competency, advantages, contentment, and health, and by destroying both body and soul.

6. You also stand indicted for that you, the said Ebrietes Alcohol, not being satisfied with the misery inflicted by your influence upon families, have caused your ravages to be felt throughout communities,

nations, and kingdoms, having your path traced by broken hearts, starved families, robbed and naked children, decayed houses, empty pockets, and degraded outcasts; filling up the cup of misery by blackened walls, murdered benefactors, and rivers of human gore, exciting hatred, feuds, and strifes; entailing burdens on honest industry, filling gaols, and feeding the gallows.

7. You also stand indicted for, that you, the said Ebrietes Alcohol, and your agents, being moved and instigated by the Devil, did cause a fearful number of the human family to rush into Hell, by the awful crimes of suicide, murder, and felonies of the deepest die.

8. You also stand indicted for, that you, the said Ebrietes Alcohol, still keep among the community a number of your agents, who are exercising a most pernicious and baneful influence on the people, and especially on the rising generation, against the peace of our Lady, the Queen.

Are you guilty or not?

Counsellor Brent, for Prisoner—"Not Guilty."

Clerk of Crown—"Are you ready for your trial?"

Mr. Brent—"Yes."

Clerk of the Crown—"Crier, make proclamation for the Jury."

Crier—"All you good men, and true, who have been summoned as Jurors to try the case of—The Queen, against Alcohol—answer to your names, and save your fines."

(Here the 12 Jurors were called, and entered the box.)

Clerk of Crown—"Gentlemen, hearken to your oath—"You, and each of you, shall well and truly try, and true deliverance make, between Our Sovereign Lady the Queen, and the Prisoner at the bar, whom you shall have in charge, and a true verdict give, according to the evidence, so say you."

(Here the names of the Jury were called over by the Clerk of the Crown, and the Crier counted them.)

Crier—"Good men and true, stand by the evidence."

Clerk of the Crown—"Gentlemen of the Jury, look upon the Prisoner, and hearken to your charge."

(Here the Clerk read the Grand Jury Presentment, and handed the issue paper to the Foreman.)

The Attorney-General then rose and addressed the Jury, as follows:

"May it please your Lordship—Gentlemen of the Jury—The case pending before the Court this evening, is one of immense importance, one which materially affects our characters as men, as patriots, and as Christians. It affects our character as men, inasmuch as the Prisoner at the Bar has, for years, been depriving us of our dearest liberties. He has entered our dwellings, and has there substituted misery where contentment had reigned; he has severed every social bond, every family tie; he has caused the once kind and affectionate husband and father to become the hated partner and unnatural parent; he has rendered the once tender and loving mother forgetful of the ties of nature, and neglect her helpless offspring; in short, no tie has been considered too sacred, no bond too endearing, all have felt the ravages of his destroying hand.

"It affects our character as patriots, for the Prisoner at the Bar has, for time immemorial, been heaping disgrace on our country, has been taxing the people for the maintenance of his unfortunate victims, filling our Courts of Justice with the perpetrators of crime, and peopling our Gaols, Penitentiaries, and Lunatic Asylums with his unfortunate victims.

"And it affects our character as Christians, because the Prisoner at the Bar has so blinded the minds of our fellow-citizens as to prevent many of them from receiving good impressions from the Gospel. It has ever been his study so to influence men's minds as to keep them from attending the House of God on the Sabbath day; he has taken some of the most pious Church members, and made them outcasts of society; he has even invaded the sacred desk, and there has been carrying on the work of destruction by depriving us of many of our most talented ministers; and he has presented one of the greatest difficulties in the way of our Missionary enterprise.

"The crimes, of which the Prisoner at the Bar stands charged, having been read in the indictment, containing eight counts.

"The first count sets forth, that he, aided and abetted by divers other liquors and abominable compounds, conspired against life, and caused Humanity, Chastity, Temperance, Self-Respect, and others of the leading virtues of the human family, to become contemptible in the eyes of the noble, the just, and the good.

"As to the first part of this count, I have but to appeal to yourselves, Gentlemen, and to ask you to look back and see whether you cannot point to death by the hand of the Prisoner at the Bar. What is it that sends so many of our fellow-men to an early and untimely grave?—Alcohol. What is it that causes so many persons to be found dead in our streets, probably frozen by exposure over-night to the stormy elements?—Alcohol. What is it that fills our Hospitals with degraded miserable inmates?—Alcohol. Turn where you will, Gentlemen, and you find the Prisoner at the Bar conspiring against the lives of our fellow-men.

"He has caused Humanity, Chastity, Temperance, Self-Respect and Charity to become contemptible in the eyes of the noble, the just, and the good. Can any feelings of humanity be expected, or looked for, from one whose intellectual faculties have been blunted—the finer feelings of whose nature have been crushed by the brutal suggestions of liquid poison? Were I inclined to take up this part of the indictment at length, I should cite numerous instances to prove that where the Prisoner has been introduced, Humanity has shrunk back abashed—the two cannot dwell together—they are counter-spirits. But, not satisfied with crushing the noblest feelings of human nature, he has invaded the chastity of society. In the City of London, there are no less than 100,000 prostitutes, made so by the cunning wiles and wary stratagems of the Prisoner at the Bar. Woman, who has been justly styled the Angel of Creation—the helpmeet of man—the joy and consolation in every time of trouble, woman, whose charms awaken the dormant faculties of the soul, and fills the mind with finer energies—who, by a tender

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communication of her thoughts and observations, conveys new instruction to the mind, and by pouring the warm and generous sentiment of her heart into our bosoms, animates incessantly to the exercise of every virtue, and completes the polished perfection of our character, by the soft allurements of love, and the delightful concord of her sentiments. She, Gentlemen, by the stratagems of the Prisoner at the Bar, has been made the victim of designing villains, and has been hurled into the lowest depths of degradation.

"Self-Respect has been set aside by the Prisoner, for the moment a man has become acquainted with him, he has ceased to regard his character as of any worth. His family, whom, before his acquaintance with the prisoner, it was his greatest joy to see well clad and comfortable, he now leaves to the mercy of an unfriendly world; his business reputation, which he once prized as the apple of his eye, is now no longer cared for; and though bankruptcy and ruin stare him in the face, though the prospect of a miserable life, and a violent or ignominious death are before him, such is the influence exercised by the Prisoner at the Bar, that he rushes violently on in his mad career, till the horrors of a death from *delirium tremens* free him from this world, to endure eternal retribution hereafter.

"Temperance and Charity are direct opposing principles to the Prisoner at the Bar. Man cannot easily be temperate, and associate with the inebriate; and to make Alcohol his friend, is not only to associate with the inebriate, but to be branded himself with the infamy of drunkenness. So completely has the Prisoner absorbed every principle, so thoroughly and unreservedly has he demanded the relinquishment of every humane or grateful feeling that exists in man's nature, that when once he has obtained the smallest degree of influence, there is no room left for the exercise, or even for the admiration of such noble virtues as Temperance and Charity.

"As to the second count of the indictment, Gentlemen, it is also but too plainly proved in our every-day intercourse with society. What is it that causes so many of our fellow-citizens to be engaged in a traffic, the consequence of which is to send their fellow-men down to drunkard's graves? Why is it that in our City, so many distilleries rear their blackened walls, as if in defiance of the powers of God or man? Why is it that in the City of London, there should be no less than 50,000 establishments for the sale of intoxicating liquors; and in the City of Glasgow, the enormous number of 2,500? Why?—but that he has so blinded the minds of men to every noble or generous sentiment, and has aroused their desire for wealth to such an extent, that they are willing to give up every title, even to respectability, to become venders of liquid poison. But, Gentlemen, the count goes on to say that, by various stratagems and devices of the Prisoner, men have been led to congregate in those places of awful scenes, bad precepts, and worse examples. And is not this part of the indictment just as true and self-evident as the other? How many a wife watches, in the midnight hour, for him who, at the sacred altar, had promised to cherish her, and shield her

from every storm ! How many a man has been led to turn his back on home, sweet home, and make the tavern his abiding place, where he takes the money that should maintain his wife and family, and gives it to support and adorn the wife and family of the tavern-keeper, who, in return, when they have given him ruined health, blighted character, and empty pockets, when they have converted him into a mean, mindless, debased, degraded, brutalized, slaving thing, will turn him out of doors, and leave him to the tender mercies of the Police Magistrates. Nay, but not satisfied with this, he has degraded himself, in order to entice those back who, by the efforts of the benevolent, have been snatched from his dominion. He has been sprinkled on the saw-dust in front of the tavern door, in order that the fumes of the liquor might attract the unwary and unsuspecting reformed inebriate, and lead him back to his old habits. This, Gentlemen, is one of the stratagems used by the Prisoner at the Bar, hundreds of others might be mentioned, but they are unnecessary.

"The next count sets forth, that he leads men to the breaking of God's Holy Day, the neglect of His ordinances, and the despising of His house. I have briefly before alluded to this part of the indictment. The mechanic, who usually receives remuneration for his hard week's labor on the Saturday night, is led, by the devices of Alcohol, to spend at least a portion of it in the tavern, and thus the Sabbath is, in many instances, broken before it is begun. By want of rest he unfits himself for a proper enjoyment of the Lord's-day. The workman who toils hard during the six days of the week, needs repose on the Saturday night,—and what is so well calculated to give that repose, as "nature's sweet restorer, balmy sleep?" or what is so well calculated to sooth the mind, as the doctrines, the consolations, the promises, and the prospects of Christianity? He who has his body invigorated by refreshing sleep, and his mind nerved by the Divine influence of the Gospel, knows how to appreciate the blessings of a Sabbath day. But how is it with those who are under the influence of the Prisoner? After a hard week's work, they are doomed to have their stomachs, nerves and brains, and consequently, their already jaded bodies and minds subjected to the exhilarant of stimulating liquors, imposing on their constitutions a task which they are ill able to bear, and which must eventually break them down, and thus are they rendered totally unfit for the enjoyment of the Sabbath. In the City of London, it is computed that there are no less than 300,000 who frequent the gin-palaces on the Sabbath day; 5,000 persons have been known to enter into one of the tea-gardens of the Metropolis on that day, and many of them have continued drinking until midnight. In one City of Great Britain, containing 330,000 inhabitants, 250,000 of them never enter a place of worship. These, Gentlemen, are a few examples of the Sabbath-breaking professions of the Prisoner at the Bar.

"In the fourth count, we have one of the first characteristics of the Prisoner brought out, viz., Treachery. He is accused of introducing himself as an agreeable guest into the family, and there, after

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the introduction had been effected, hatred succeeded harmony, &c. Into how many happy families has he thus introduced himself, and, in a little time, has caused the husband to forget every sacred bond, to violate the solemn obligations which he has taken upon himself in the presence of Angels and men. The tears of deserted, starving, wretched women—whose miseries must be attributed to the drinking habits of their husbands—flow in torrents through every part of our country. The men who are thus dead to every human feeling, and every religious bond, have been robbed of a heart by Alcohol, in his various forms. Once they loved their wives, but they were persuaded to drink, and the liquor that captivated their taste has alienated their affections from their wives, their families, and their homes.

“But this is not all. He has obtained influence over the mother too, and she has pawned her own and her children’s clothes to obtain “drink.”

“The beasts of the field will protect and cherish their offspring, but the Prisoner at the Bar has transformed human females into monsters, for which the vocabulary of earth, or the abyss beneath cannot find a name—nor the world of savage, nor venomous creatures a parallel. The Prophet once asked the question—“Can a mother forget her sucking child that she should not have compassion on the son of her womb?” Yea, she may forget, and had the Prophet lived at the present day, he would have seen, that for parents to starve their children, for mothers to neglect their offspring, are no uncommon occurrences, such is the transforming influence of the Prisoner at the Bar.

“The next count speaks of the waste and destruction of property which he has caused. It is said, Gentlemen, that if the mechanics of London were to suspend their labors for one day, £50,000 would be thereby lost; or, if the laborers of the United Kingdom were to play for one day in every week, £52,000,000 would be lost. Now, though, thank God, all the mechanics are not under the influence of Alcohol, yet those who are, frequently lose two or three days every week, and hence we have this enormous sum of money lost. The destruction of property at sea is also appalling. We find, that in the short period of six years, not less than 2,687 ships were stranded or wrecked, and 218 lost or missing, and the number of persons who were drowned, was 3,414, and this was all owing to the pernicious effects of strong drink unfitting seamen for their duties, and thus leaving the vessels preys to the stormy elements. These facts, Gentlemen, must not be looked upon as mere statements without foundation, they are collected from Parliamentary papers. Again, it was under the influence of this monster that a man conceived the idea of burning his neighbor’s property; it was in the ale-house or gin-shop that he armed himself by an immoderate quantity of strong drink for the performance of so malignant a purpose. It was under his influence that the servant dropped a candle in the hay-loft of his employer, and thus destroyed barns and wholesome grain. In short,

I could keep you here until to-morrow citing examples of the property-destroying propensities of the Prisoner at the Bar.

"The next count informs us that, not satisfied with the devastation caused in families, he has caused his ravages to be felt throughout communities, kingdoms, and nations.

"Such was the effect in France, by the license given by Louis XII, for the extensive manufacture of Alcohol in all its various forms. So terrible, I say, were the consequences, that, in 22 years after, his successor, Francis, was obliged, for the safety of his subjects, to enact the severest laws for the suppression of intemperance. In the year 1783, Gustavus, King of Sweden, hoping to increase the revenue, actively encouraged the sale of intoxicating liquors; but such was the effect, such the danger which seemed evident, that Sweden should not only become completely demoralized, but actually extinct among the nations of the earth, that the same King, previous to his death, was obliged to pass, what some would style arbitrary laws for its suppression. Ireland affords another lamentable example of the effects of the Prisoner at the Bar on Nations. In the 16th century he was virtually expelled from that country, and it prospered. In the beginning of the 18th century, however, the sale and manufacture of Alcohol was encouraged, and the effect of this short-sighted policy is seen at the present day. Such is the condition of Lerisk, in Liberia, containing about 11,000 inhabitants, that the weary traveller will prefer passing on, to stopping in so miserable a locality. The people inhabiting the Island of Janes, in Greece, are miserably poor, through their love of strong drink. In short, turn where you will, and you find the influence of the Prisoner at the Bar, on Nations, is to demoralize and impoverish them. Wherever he treads, his course is traced by broken-hearts, starved children, decayed houses, empty pockets, and all the other usual accompaniments of misery.

Murder is one of the crimes with which he stands charged. In the murder of Mr. Leonard, which took place between New Ross and Waterford, in Ireland, when sentence of death was passed upon the murderer, Malone, he said to the Judge, "Yes, my Lord, I am guilty, but," pointing to his mother, who was in the same dock, he said, "she has been the cause of it." This monster of a parent, who was eighty years of age, had agreed for the price of the blood of the unfortunate man, to be shed by her two sons. She anxiously watched the approach of the gentleman, and then handed the pistol to her eldest son. He, however, started back, and exclaimed, "how can I murder the poor gentleman." "Take this, you cowardly rascal you," said she, handing him half a pint of whisky which had been purchased for the occasion. He drank the whisky, murdered the man, was tried, and hanged. Here, however, let me read you the opinion of Judge Hale on this part of the indictment.

(Here Mr. White read an extract from Judge Hale's experience as a Judge, which was to the effect that, during his experience, four-

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fifths of the criminal cases which he tried, were caused by intoxicating liquors.)

"The seventh count accuses him as the instigator of suicide, and other crimes of the deepest and darkest die.

"It was but last week that we had an account, by telegraph, of a man in Boston who, under the influence of strong drink, cut the throats of his son and daughter with an axe, afterwards set fire to the house, and then cut his own throat. There is scarcely a newspaper but records some case of suicide caused by strong drink. A. B. poisoned himself on such a day, or cut his throat, or drowned himself. These are, in too many instances, the last act in the drama of drunkenness.

"In the eighth count, the Prisoner is accused of persisting in keeping a number of places open for his sale, in his different forms, to the great destruction and annoyance of the human family, especially the rising generation; and, for the trial of these crimes, you are summoned this evening. Lest you might think any statements which I have ventured to put forth, on this occasion, are merely parts of the chicanery of my profession, I am prepared to bring forward such witnesses as will prove every count in the indictment; and it will be for you to decide as to whether the Prisoner at the Bar is guilty or not. Gentlemen, you are called to perform a most important duty, and on your decision now will depend, in a great measure, the future happiness and prosperity of the human family. Feeling confident that you will fulfill the important duty you are called upon to perform, I shall at once proceed to call the witnesses. Crier, call George Johnston."

Crier—"George Johnston, George Johnston, come forth and prosecute, as you are bound to do this day, or forfeit your recognizance."

(On Mr. Johnston entering the witness-box,)

Clerk of the Crown—"Witness, hearken to your oath"—"The evidence you shall give the Court and Jury on this trial, shall be the truth, the whole truth, and nothing but the truth—so say you."

George Johnston, baker—Examined by Mr. Cole—States that it was in Scotland he first became acquainted with the Prisoner, who was a pinching, deceitful, enticing fellow, and had a hard grip of witness for 10 years. Was in a tavern in Falkirk, where a shoemaker, while under the influence of liquor, killed Mr. Osborne. Saw the shoemaker hanged for it, and heard his last speech on the gallows, which was, "that intoxicating liquors, and Sabbath-breaking brought him to that untimely end." At a Port in Scotland, while under the influence of the Prisoner, witness fell down among barrels, into the hold of an emigrant ship, and when he came to his senses, he found himself bruised, his head badly hurt, and the ship 250 miles at sea on her way to Quebec. Since he came to Quebec, he was in company with the Prisoner. Taking a near cut from a tavern to the canteen, when he fell into a deep drain which was carelessly left open by the Corporation, and the first place he became sensible of this misfortune, was sitting in Doctor Douglas's shop,

having several wounds in his head dressed. Could not say enough of bad of the prisoner. Knows of houses having been burned. Was in a house where a man was burned to death; and saw children beating their parents, all through the influence of the Prisoner. Saw a breach of the peace committed a few days ago, caused by a drunken man, coming through St. John's Gate. Has seen young men, who ought to be respectable, drinking liquor, and coming out of taverns in a state of intoxication. Knew a gentleman worth £15,000, who did not quit liquor-drinking and dissipation as long as he had a penny. Saw women weeping on account of drunken husbands (but does not believe that a woman ever dies of a broken-heart). Is supporting a man, through charity, who got his feet frozen in consequence of having been thrown out of a shebeen-house in the Suburbs, while in a state of intoxication, because he had no more money to spend. Was obliged to discharge a young man out of his employment who became addicted to intoxicating liquors, and robbed witness while under the influence of liquor. Knows a man who squandered his property by liquor, and who told witness, a short time ago, that he did not go to bed sober for two years and a-half. While under the influence of the Prisoner, witness lost his health, his credit, and property—his temper was broken, has been out all hours of the night in taverns, frequently went to bed in his clothes and boots, robbed his family, and has broken the Sabbath. Is a Son of Temperance. Was induced to become one, lest he should have died by the influence of the Prisoner. Is strong and healthy now. Has retrieved his credit and reputation; and hopes his greatest enemy may not suffer by the wiles of the Prisoner as he did.

Cross-Examined by Mr. Brent.

Once he thought liquor would cure every disease. Finds it's all a hoax since he became a cold-water man. The more he got of the Prisoner the weaker he got. Does not remember a good action ever the Prisoner did. Never saw sailors get grog until after they had topsails reefed, and all their work done. Found out that all the good he was told of the Prisoner was lies. Was about the most stupid man alive when he was in partnership with the Prisoner. Lifted the Prisoner up and threw him down, before the Prisoner knocked him down. Left Scotland to avoid the Prisoner, and found him here as soon as himself. Is sorry he was not initiated into the Sons of Temperance before he fell among the barrels in the ship. Wants no publicans, doctors, or lawyers coming about his place; he only wants the butcher, as he is always the baker himself.

Thomas Bickle, China and Delph Merchant—Examined by Mr. Cole—States that he was for many years engaged in the liquor traffic. That Alcohol is a vegetable poison, produced by distillation. Paid \$10 for a receipt for adulterating liquors. That, by the aid of oil of vitriol, bitter almonds, chlorid of lime, oil of juniper, boiled prunes, burnt sugar, animal charcoal, &c., he has frequently made brandy, rum, gin, noyau, peppermint, &c., out of a puncheon of bad whisky. Oil of vitriol is used to give it strength and flavor. In

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making of gin, chloride of lime is used to take away the flavor of the bad whisky. Has a receipt for making port wine without grapes, by reducing common brandy with logwood, alum, isinglass, &c. Adulterated liquors are generally sold to poor people, and those who drink in taverns, where very little genuine liquors are sold. Great profits are made by the sale of them. It requires a good family custom to make tolerably good profits out of the sale of genuine liquors. Has seen oil of vitriol, and oil of almonds labelled as poisons. The business is not difficult to learn. Would not allow a son of his to go to such an abominable traffic. It is a common practice for young men employed in this trade to drink a little out of each bottle in bottling wines in the cellars, and ultimately to become tipplers. Knew young men to do so. Had two young men in his employment, found one of them so drunk in his cellar, that he allowed a quarter cask of wine to run off, which he could not stop. Discharged him without a character—afterwards heard that he became a confirmed drunkard, and attempted to drown himself. The other gave himself over to drinking habits in a similar way—was obliged to discharge him, and he became a common loafer on the wharfs of Quebec and Montreal, and finally went off as a sailor. He had been a highly respectable young man, a son of the Mayor of witness's native City, in England. Has seen rioting, fighting, and Sabbath-breaking caused by drunkenness, and has been frequently called out of bed at midnight, in consequence of drunken brawls. Knew a man who was once highly respectable, who spent all his money, sold his furniture, beat and frightened his wife and family, and brought them to beggary through liquor drinking. Held £70 in trust, as executor for a young man, who, when he came of age, took a wife, and started a beer-shop, and, in a very short time, the £70, and all the stock was spent, and he and his wife became ragged beggars through liquor-drinking, and fought like cats and dogs. Knew a horse-doctor who shot himself in presence of his wife, and who told the doctor who visited him, that it had been his intention to shoot himself, in consequence of the state of mind that liquor had brought him to; but to nerve him for the act, he was obliged to take a large drink of intoxicating liquors. Was attracted by a crowd to visit the house of an acquaintance, and on entering, found the man and his wife weltering in their gore. The man, who had been drunk the whole of the previous week, had shot his wife through the breast with a pistol, and immediately reloaded, and fired into his own mouth. Sold a ginger-beer bottle, full of liquor, to a man who, when he went home and drank it, kicked his wife down stairs, and then he shot himself. When witness saw him lying on the floor, with his brains blown out, he determined to abandon the liquor-traffic. In separating a drunken husband and wife, who were fighting, witness got beaten by them for his pains.

Cross-Examined by Mr. Brent.

Entered into the traffic for the sake of gain. When he came to this country he would not have commenced the liquor-trade if he could have procured a situation at any thing else. Was not losing

by the liquor-trade when he quit it. Quit it from conscientious principles, and in disgust. Prisoner is the foundation of all mischief. Used to consider him a panacea for all the ills of life, as some people do cold water now.

Alexander Farquhar, Auctioneer—Examined by Mr. Cole—States that he was brought up in the liquor-traffic, in Scotland, until he was 21 years old. Opened a tavern when he arrived in Quebec. Did not adulterate the liquor, except by adding water to it. Became acquainted with the son of a brewer, who knew how to adulterate liquors, and who had brought himself and his wife to beggary through liquor-drinking. Witness offered him a suit of clothes, and finally agreed to give him 30 gallons of the first liquor he would mix up for witness, provided he would teach witness to mix liquors for sale. Afterwards, witness formed a partnership with him, the result of which was, that in about six weeks the partnership was dissolved, and witness's partner (after having been discharged for repeated acts of drunkenness) died in an abandoned state of intoxication, from the effects of drinking the liquor he himself had drugged, and which he stole out of witness' cellar. Witness' stock was shortly afterwards sold, and brought 7s 6d in the £1. By this partnership business, witness lost about £150. In the spring of 1836, saw a young man hanged, who had committed murder while in a state of intoxication. Heard the doctor who dissected him say, that he could not have lived 2 years, because his heart was almost destroyed by liquor-drinking. Was acquainted with a man who cut his throat, and with a respectable mechanic who shot himself, both by liquor-drinking. Is acquainted with the case of the horse-doctor, as mentioned by last witness. Saw a man in a fearful state of *delirium tremens*. Was acquainted with a respectable lady, in affluent circumstances, in Quebec—met her afterwards in Chatham Street, New York, in the dress and appearance of a common menial, and offered to assist her. Understood, in a few days afterwards, from Dr. Deboys, that she was lying in a garret, in miserable condition, near the Five Points. Went, and had her removed to a comfortable lodging, where, in six weeks, she was restored to health. She informed witness that she had fallen by indulging in intoxicating liquors. When under the influence of the Prisoner, witness hardly knew what he did—fancied he saw stars, broke the Sabbath, beat people, sung from John Street to the Police Barracks, lost his overcoat, called out fire, threw a fender through a shop-window, was taken up by the police, fined in \$20, sent to gaol, and liberated by subscription—his means were gone, his credit was not worth a snuff, often forgot debts he had contracted, until he found it difficult to pay. Prisoner often left him with a sore head, an empty pocket, and a threadbare coat—deprived him of memory, friends, and comfort, and left him a shame to be seen. Many people would have honorably paid witness for goods they bought from him on credit, had they not been enticed to spend their money on liquor. Went on a spree once in Quebec, treated all hands in several places—imagined he was recruiting for the Pope, and gave a \$10 bill, as bounty, to a tavern-

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keeper in this City, who never returned it to witness. Had hard work to get rid of Prisoner. Remembers his last struggle with him. On witness' birth-day; he invited several of his friends, and procured a good supply of liquor; when his friends came, they confined him, and kept the liquor from him, and on the evening of that day, he would have given a guinea for a glass. Next day he felt a little better, and was supplied with plenty of cold water, which he drank freely, and bathed his head with, and on the third day he was better, and finally got rid of the greatest curse that ever visited the human family.

Cross Examined by Mr Craig.

Was acquainted with the Prisoner since the day he was born. Believes he got a spoonful of the stuff the moment he was first dressed. Prisoner was considered a jovial good fellow in Scotland, and useful for many purposes, and on many occasions—in curing sickness, preventing colds, and strengthening people. Knew several who took him as such, but were deceived at last. Knew people to be guilty of mean tricks by liquor-drinking. Intoxicating liquors are good in their place. (In answer to a Juror)—Their proper place is on the Apothecary's shelf. Witness' liquor trade failed in consequence of his intimacy with the Prisoner. Has it only from hearsay that the mechanic was drunk when he shot himself. If Mr. Craig was as intimate with the Prisoner as witness was, he would see stars, and curiously shaped stars too. Enjoys good health; lives comfortable. Has retrieved his credit and character, and has the confidence and approbation of his family and connections since he abandoned the company of the Prisoner.

Chief Justice—"Have you any more evidence, Mr. Cole?"

Mr. Cole—"No, my Lord. We close here."

DEFENCE.

Then Mr. Craig, Senior Counsel for the Prisoner, addressed the Jury as follows:—

May it please your Lordship—Gentlemen of the Jury—In entering upon the very onerous duty of Counsel for the Prisoner at the Bar, I am aware of two grand difficulties that oppose me. First, the monstrous indictment that has been drawn up, which appears to embrace the whole catalogue of mortal and venial sins in all their ramifications; and the apparently strong case made out in the eloquent address of the Attorney-General, and the legal acumen of the Junior Counsel for the Crown. Secondly, the difficulty I have experienced in procuring witnesses suitable to the interests of my client; and my own diffidence as to my ability to conduct this defence as it should be conducted, and as its importance demands. However, I trust I shall be able to prove to you, by respectable witnesses, that the Prisoner is not the malefactor he is represented to be. Gentlemen—My learned friend, Attorney General *White*, has labored hard to make the position of the Prisoner very *Black*, but it will be my

duty to make it *White*; and I hope to be able to prove before this Court, and to your satisfaction, that it should have been the witnesses for the prosecution that ought to have been in the dock instead of my unfortunate client. Gentlemen, in defending the case of a prisoner, we must bear in mind his previous character; and on this occasion I am ready to prove that the Prisoner at the Bar possesses the character of mildness, benevolence and usefulness. Previous to going into the merits of the case, I must apprise you that the Prisoner is of no mushroom growth, jumping into society by a hop, step and a leap, but is of ancient family, a noble stock and generous relations, having long been the companion and friend of kings, queens, statesmen, warriors, poets, painters, musicians, and the wealthy merchant, the bosom friend of the portly arch-bishop, down to the all but mendicant curate; and yet to shew that pride is not his sin, he makes companionship with the poverty-stricken and degraded outcasts in the hovel, the cellar or the garret; so much is his company and solace courted, that many divest themselves of all the property they may possess for the sake of enjoying his society—in fact, from the regal residence to the Indian wigwam, he is received with the right hand of fellowship.

Gentlemen, first, as to my client's mildness. He comes to your country as another emigrant, on board the same ship, exposed to hardships and tossings, and yet he quietly remains ensconced in his berth, content with the worst accommodation in the ship. He patiently endures all until the vessel arrives at port, when other passengers are allowed to go at large, and choose their occupation, he is taken under strict surveillance, immured in a dungeon, branded and numbered. Under all this degradation he remains perfectly inoffensive, and would there remain until dooms-day, shut up in puncheons, casks, or bottles, were it not that he is interfered with, and dragged to light, sometimes by the neck, or perhaps by a more indelicate way, and exposed to the gaze and taste of the connoisseur, subjected to remarks of every kind, commented on, and praised or condemned as fancy dictates. All is borne without breach of the peace or manners, until, at last, injury follows insult, and he is most unceremoniously knocked down. Now, Gentlemen, the Prisoner is a person of spirit, and will not bear with indignity. He will retaliate, he strikes his abuser a body blow in the pit of the stomach, and sends them reeling, and will prostrate them (if further imposed upon) under the table, or in the gutter. Gentlemen, I put it to your natural good sense, who was the first to commit an assault? Assuredly, it was the persons who gave evidence against my client, they, therefore, should be in the dock, and he, the complainant, in the witness-box.

Gentlemen, I will now call your attention to the second trait in the Prisoner's character, namely, benevolence, which is shown towards the farmer in obtaining a good market for his grain. Think, Gentlemen, of the great consumption of liquors, and the quantity of grain required to manufacture them. In the United States, there are over 10,500 distilleries at work, besides breweries. The learned

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Attorney-General told you that the City of London furnished 300,000 daily drinkers, in about 50,000 drinking places—that the tea-gardens accommodated 50,000 people of an evening, but if we take into account the number of places in Christendom, the amount of grain used is beyond calculation, and in all these places the farmer finds markets.

Again, Gentlemen, the prisoner's benevolence is seen in the employment he creates. What would be the necessity for so many penitentiaries, gaols, houses of correction, court-houses, police-offices, were it not for my client, who produces all the employment connected with those places? Again, notice his benevolence to his abusers. He has created hulks, transport-ships, and distant Colonies, that such weak-minded individuals as become his abusers may be taken care of. Those various establishments must be well-officered; and here again you see his benevolence, in not only providing for the inebriate, but actually procuring honorable and lucrative situations from his Lordship the Chief Justice down to Jack Ketch; and many merchants and others, rolling in affluence, have to thank my client for their possessions. His benevolence is further shewn towards his abusers; in him the old adage is verified, "If he cuts you, he gives a plaster;" if he is compelled, in self-defence, to knock down his man, he provides for his safety and security by guard-houses, lock-up cells, with livery servants in attendance, and an audience with the justices of the land. These few hints, gentlemen, may open your eyes to the benevolence of the Prisoner at the Bar.

The third trait in the Prisoner's character, gentlemen, is Usefulness. It is admitted that he cannot be done without for mechanical purposes: here he is absolutely necessary, therefore useful.

Again, as an article of traffic he is useful; for the Revenue caused by him to support the state, crown, and dignity of our Queen and Realm. Again, he is useful at parties of pleasure or love-making, in cases of despondency to enliven the mind, quicken the apprehension, sharpen the wit, arouse the energies; assists at bargain and speech-making, and makes the coward brave; in fact, society would be a perfect blank without him. Then, gentlemen, is he not useful as a medical agent, often used for the "stomach's sake," and other "oft infirmities;" cheering the afflicted; restoring the system, and making the hearts of young and old merry and glad, and to sing and shout for joy. Gentlemen, who but a frozen-hearted individual, such as a Son of Temperance, would offer you a glass of cold freezing water to quench your thirst in January in Quebec, instead of a goblet of wine, or a horn of real old brandy and water?

Gentlemen, I regret taking up so much of the time of this Court, but the importance of the defence pleads my apology. In adverting to the counts in the indictment, I will show you that my client is not the villain, cheat, and disturber of the peace he is represented.

To the first count, I can prove an alibi, for my client was lauded to the skies, and affectionately and kindly treated by the noble, the just and the good, and therefore those who became contemptible in

their eyes, and committed wrong acts, did so in the absence of the prisoner, or when he was in the society of the noble, the just, and the good.

As to the second count, that he blinded men's eyes by the hope of gain and filthy lucre, the charge is perfectly absurd, as it applies to the whole mercantile community. You can point to no business free from the wish for gain and lucre, (be it filthy if you please.) Therefore, this charge is like the woodcock calling the snipe "long bill, long bill."

The third count, gentlemen, is one of deep solemnity, and my client does not plead exemption. But there are strong extenuating circumstances in his favor. He is a spirit of this world, and only joins with other spirits to whom he is congenial, many of whom move in very high spheres—in desecrating the Sabbath, neglect of religion, &c., and which are only the manners and customs of those who love the world.

On the fourth count he has no right to be branded as a traitor, or as a destroyer of family affections. He has done nothing in secret. I told you he was of ancient family, and whatever his faults and failings may have been, they have been well trumpeted abroad. The crimes charged in this count ought to be charged against weak-minded creatures, who had the hardihood to make too free with my client, after having invited him into their families. If a servant is employed, his duties should be defined, instead of afterwards bringing charges against him for doing too much or too little, or for retaliating when abused by his employers.

The fifth count charges the prisoner with the destruction of property. Gentlemen, you might as well bring an action against the Atlantic Ocean for all the property it has swallowed up. Property is lost by fires, floods, hurricanes, law-suits, speculation, misconduct, and many other ways, without the interference of my client, therefore, gentlemen, you cannot find the prisoner guilty of the charge in this count.

The sixth count embraces a wide sweep, carrying the prisoner through kingdoms and nations. But, gentlemen, kingdoms and nations go to war and butcher each other, and the acts of the victors are applauded to the skies, as covering themselves with glory, immortalising their names, and all without any interference on the part of the prisoner; but the moment he visits a nation or a kingdom, he is branded as a destroyer, merely because he retaliates and becomes the conqueror.

The seventh count charges him with murder and suicide. But, gentlemen, may I not ask if those fearful crimes in most instances were not concocted and determined upon without the interference or knowledge of the prisoner; and if he has been called into requisition, it was because he was known to be a person of spirit, and he only instigated the wicked individuals who committed these deliberated and wicked acts a little sooner than they otherwise would have done, just as he would instigate orators to make great orations, warriors to be more brave, or poets to be more sublime, &c.

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The eighth count charges him with still keeping among us agents, I presume, for the manufacture and sale of liquors; but here, gentlemen, he has the law on his side, and has had always since the days of Noah. Our laws, which are based on the Divine law, wisely interfere with no man's liberty in planting vineyards, building distilleries, or selling pure liquors. You, gentlemen, are possessed of too much sound sense to pay any attention to the charge in this count. You can enjoy the pleasing evening party, where smiles of complacency sit upon each countenance—where the enlivening glass inspires the tones of eloquence, produces mirthful songs, well-timed jests, pleasing anecdotes, music, mirth, and the merry dance, and which produce the most delightful impressions on memory's green spot, the very remembrance of which, in after years, causes pleasant conversation about such happy scenes. And are we to deny ourselves of those social pleasures, and unite with a parcel of cold hearted, discontented people to overturn large mercantile establishments—deprive thousands of honest respectable merchants of the means of support for themselves and families—change the good old customs and usages of society, and deprive the crown of its revenues, because a comparatively few weak, unsteady wretches abuse the good things of the world. No, gentlemen. You are men of intelligence, who know how to warn your children and your fellow-men from error's path, without such sweeping innovations as a Maine Law.

Gentlemen, I have now gone over the indictment, and have only to state, that by finding the Prisoner at the Bar guilty, you deprive tens of thousands of honest, respectable people of their living, and throw them and their families on a merciless, unfriendly world. You will therefore give this important case your serious consideration, and you will bear in mind that all the witnesses for the prosecution have admitted the usefulness of the Prisoner—their abuse of him—and that they were the first to assault him, by lifting him up and throwing him down, and that he only retaliated when abused. Again, gentlemen, you will bear in mind that the Prisoner is entitled to the benefit of all doubts that may arise in consequence of conflicting testimony.

I now leave his case in your hands. Do your duty fearlessly, impartially, and with a single eye to justice, yet mercifully, and I rest confident you will find your verdict for my poor client.

Crier, call John Rickaby.

Crier—"John Rickaby, John Rickaby," come and appear, on pain of a fine of Five Pounds.

Witness—"I'm here your Lordship"

John Rickaby, Undertaker—Examined by Mr. Craig—Has known the Prisoner at the Bar for upwards of 50 years. Was delighted in his company every night, and noon-day too. Always had him at parties, because he caused great mirth and amusement. It would be a dry, dull party without him. Always found him useful in putting away bashfulness, and introducing people into trade and social parties, in curing the stomach-ache, in settling quarrels and

family strife, keeping out the cold, and heat, and wet, and creating a good appetite. He was always a jovial guest at christenings and weddings, and a consoler at funerals. In witness' native country, Prisoner attends at Patrons, and fairs, and markets—causes young men at those places to make love to young ladies, and treat them in tents, and assists them in their courtship and marriage. Indeed, there would be no fun in a tent without the Prisoner. He also causes great merriment, music, dancing and courting there, and at house-warmings—when the harvest is gathered in, and at punch dances, and set times. There would be very few marriages in witness' country without the Prisoner as a spokesman. In 1810, when witness joined the army, more recruits were got, through the Prisoner's influence, than by all other means. Brewers made well by selling beer to the army; and the swine fed at those breweries, paid the rent for the farmers, and fed the army. Knew a man named John Hill, at Gorey, who got so rich by keeping a public-house, that he afterwards kept a large brewery, and got so fat by drinking the beer, that people came from all parts to see him—he weighed 478 pounds. Prisoner causes great revenue to the country, makes good markets for grain, is the means of building fine houses and churches too, gives employment to great numbers of people. Witness used Prisoner in sickness and in health, and found that he always raised his spirits, and made him merry. In 1847, saw doctors and clergymen use Prisoner very freely in hospitals, to prevent contagion. If the miser would get well acquainted with him, he would make him do good with his money.

Cross-Examined by Mr. Cole.

Prisoner may have done him a little injury sometimes. Often saw fighting and quarrelling at tents, and at other places, when the Prisoner was not present. Never saw a drunken man die. Saw a man in *delirium tremens*; does not know what brought it on him. Was engaged in the liquor traffic for 3 years. Never adulterated liquors—but his son did, and added water to them when they were too strong. Prisoner would injure no person if he was let alone.

William Woods—Examined by Mr. Brent—Has known the Prisoner at the Bar for 30 or 40 years. Prisoner is an old standard, very good company, and has often made witness very happy and comfortable. Was in the liquor traffic for 9 or 10 years;—knew no evil in it when he was selling it. When Clergymen wanted him to quit selling it, he pleaded its good effects. Often took it to cure the cold. Has known people to get rich by selling liquor. Did not adulterate it for several years.

Cross-Examined by Mr. Cole.

When he was able to buy a puncheon of liquor, he made rum, brandy, and gin out of bad whisky—in doing which he used cayenne pepper, grounds of beer barrels, chloride of lime, and other drugs which he forgets now. Was acquainted with a man who died in a state of drunkenness, and who witness had flattered to join the Teetotalers the day before his death. Knew another case of a man having died by drunkenness. Prisoner has often caused his

head to ache. Knows families who have been ruined by drinking intoxicating liquors. Quit the liquor trade about 12 or 14 years ago.

William Miller, Mariner—Examined by Mr. Craig—Has been acquainted with the Prisoner for about 33 years, who he considered a good and jovial companion, and made him feel merry and comfortable. Has seen liquor given to the hands on board ship to cause the men to work hard, especially when reefing top sails. Always considered a little done him good, and put courage in him, and made him think he was a handsomer and a better man—it warmed him and cooled him, and quenched his thirst, and was good for the health, and caused great mirth and amusement among the men. If his head ached through liquor, it was witness' own fault. Has got employment by treating his employers—but it took a good deal of his earnings to treat, to keep that employment.

Cross-Examined by Mr. Cole.

Found Prisoner destructive sometimes, and that he picked his pocket, and left his family poor. Witness made liquor at Beauport Distillery, and put vitriol, Irish soap, charcoal, drops out of doctors' bottles, and several things he does not remember, into it. One of his shipmates and he had been drinking in Champlain Street, and several other places, and when they returned to the ship, witness' comrade fell off the cross-trees in a state of intoxication, and was drowned. While witness was on the spree, he neglected everything else.

John Brereton, Messenger, Trinity House, Quebec—Examined by Mr. Craig—Has been perfectly well acquainted with the Prisoner, and several of his cousins, for upwards of 24 years. Liked Prisoner in a great degree. Never was an hour sick in his life through him. Has seen people knocked about, and shake the shillelah now and again in consequence of their acquaintance with the Prisoner. One morning, on the 17th of March, at a fox hunt in Ireland, witness made his first acquaintance with the Prisoner. The hunt was severe. Had a flask, and took a couple of *nips*, and, after that, he got so strong he was able to cross any ditch or wall; since then, he never gave up the acquaintance of the Prisoner—always takes a little to raise his spirits, and at balls, and christenings, and weddings. Prisoner would do no man *alive* any harm, if he was let alone.

Cross-Examined by Mr. Cole.

Prisoner does a little mischief sometimes. Witness has seen some little rows now and then, and has heard people complaining, but it was always when they took too much. I was acquainted with a man in Dublin, who was lying sick, and, in the absence of his mother, he sent a little girl for a glass of the *hard shtuff*, a pen'orth of milk, and a ha'porth of bread, and mixed the whiskey and the bread and milk together, and was about to take the medicine, when his mother was heard coming up the stairs, when he was obliged to hide it under the bed; and, unfortunately, a cat came in, and coming at the mixture, she helped herself, and staggered and mewed all through the room, and she as dhrunk as a piper. O, by gosh, sir, divel a word a lie in what I tell you.

Counsellor Brent—"My Lord, we close here."

The Attorney General arose and addressed the Jury, as follows :—

May it please your Lordship—Gentlemen of the Jury, at the close of a trial which has already been protracted, though not more so than its importance demanded, I should not attempt to address you at any length, were it not for certain statements put forth by the learned Counsel for the Defence, in his address to you, which I think justice demands should not go uncontradicted. In order the more fully to do so, I shall advert to the several statements made by that gentleman. In opening his address, the learned Counsel promises to falsify the evidence of the witnesses for the prosecution, and to prove that they ought more properly to be in the dock than his unfortunate client. How far he succeeded in this, you, gentlemen, are able to judge.

He has taken up three characteristics of the Prisoner at the Bar, and on these, bases his address—Mildness, Benevolence, and Usefulness. In order to prove the first characteristic, he refers to the antiquity of the Prisoner,—“He is of no mushroom growth, springing into society by a hop, step and leap—he has long been the companion of kings, queens, statesmen, warriors, poets, musicians, and merchants—the bosom friend and companion of the portly archbishop, and the all but mendicant curate.” It would be absurd in me to deny this statement, but permit me, as briefly as possible, to call your attention to the effects of his companionship on those persons with whom he is said to have associated. He is of “ancient date,” and what, gentlemen, do we find him at the earliest accounts we have ever received of his existence? We find him there prostrating the man who, for his piety, had been saved from a general deluge, subjecting him to indecent exposure, and to the ridicule of his own son.

The Philistines, under the influence of the Prisoner, called Sampson in among them, in order to make sport for them, and the consequence you, gentlemen, know. It was through him that the Amalekites were slaughtered in the reign of David; that Amnon, the son of David, was slain by the domestics of Absalom; and Elah, King of Israel, murdered by his own servant. It was on account of the Prisoner at the Bar that the Prophet pronounced the denunciation against the Ephraimites—“Woe to the crown of pride, to the drunkards of Ephraim, whose glorious beauty is a fading flower, which are on the heads of the fat vallies of them that are overcome with wine.” He was the cause of the slaughter of 70,000 Jews in the reign of King Ahasuerus. One of the greatest sacrileges ever committed, was committed under the influence of Alcohol, when Belshazzar made a feast to a thousand of his lords, and drank wine before the thousand—and never was debauchery more signally punished by the Almighty, for, in the midst of the revelry, the King is slain, and the city taken by the Persians, under Cyrus. Such was the effect of this monster on this temperate and warlike people, that, in a very short time, they became as remarkable for their effeminacy and intemperance as they had been conspicuous for their physical strength and sobriety, and they too soon fell an easy prey to

the Macedonian King. From these, and many other examples which I might adduce, it will be seen that the Prisoner is indeed of ancient days; and you, gentlemen, will discover what has been the business of the Prisoner at the Bar, where he has found admittance.

During his long career, he has been the companion of the great men of every age, as also of the poor and miserable—for he has one great characteristic, he is no respecter of persons. Philip of Macedonia, one of the most subtle politicians of the day, was at times completely subdued by the Prisoner at the Bar. It was under his influence that he so conducted himself as to call forth, from Alexander, his own son, the cutting sarcasm—"Men of Macedonia, see there the man who was preparing to pass from Europe into Asia; he is not able to pass from one table to the other without falling." It was at a feast, when irritated by indulgence in strong liquors, that the quarrel arose which caused Philip, in the midst of his splendour, to fall by the hand of an assassin.

Alexander the Great, whose fame has been sounded far and wide, the conqueror of the world—a man who, in the early part of his career, was so temperate and abstemious, that he is said to have remarked, when the Queen of Caria sent him some choice dishes, accompanied by some excellent bakers and cooks, that he had been supplied with better cooks by his tutor, Leonides, viz., a march before day to dress his dinner, and a light dinner to prepare his supper. This mighty monarch, I say, was afterwards so completely subdued by the Prisoner at the Bar, as at one time to attempt to burn the ancient palace of Xerxes. It was under his influence that he murdered his bosom friend, Cletes, and, afterwards, from grief, would have put an end to his own existence, had he not been closely watched by his attendants. And it was under his influence that he was laid in a drunkard's grave, at the early age of 33. Seneca, in speaking of the death of Alexander, says—"Here is this hero, invincible by all the toils of prodigious marches, by all the dangers of sieges and combats, by the most violent extremes of heat and cold—here he lies conquered by his intemperance, and struck to the earth by the fatal cup of Hercules."

It was under the influence of the Prisoner at the Bar that Aurelius, chief magistrate of Thebes, was assassinated, with all his guests, at the banquet table. Although he had been warned of his danger, so infatuated was he with wine, that he exclaimed, when pressed to ascend the Telbers sent to him, "Send those things to-morrow," but the delay proved fatal. Vitellus obtained possession of the Roman throne by means of notorious vices—by pandering to the vicious propensities of preceding Emperors, he was elevated to those high positions in the State which enabled him to accomplish his object; but so disgusted did the people become with the intemperance of this obnoxious tyrant, that they conspired against him, and put him to a disgraceful death. Attila, King of Hungary, on his marriage feast, indulged so freely in intoxicating liquors, that he was found at night suffocated—and thus, through the influence of the Prisoner at the Bar, terminated the important Empire of the Huns.

The conquest of Britain, by the Normans, was owing not so much to the prowess of arms as to the intimacy of the Anglo-Saxons with the Prisoner at the Bar. We find, that while the one army passed the night preceding the battle of Hastings in fasting and prayer, the other spent it in feasting and revelry. "Thus the English," as is observed by a writer, "being revelling before, had, in the morning, their brains arrested for the arrearages of the indigested fumes of the former night, and were no better than drunk when they came to fight."

King Henry the 1st was, in the midst of his prosperity, so unfortunate as to receive a shock which rendered him miserable for the rest of his life. This was the death of his only son, who was drowned through the influence of intoxicating liquors. The young Prince had embarked for England—the sailors unfortunately solicited him for wine, and, in the generosity of youth, he distributed it profusely. The officers and seamen all became intoxicated, and through the carelessness of the helmsman, the vessel struck suddenly on a rock, and, in a short time, disappeared under the waves—and the whole crew, 300 in number, perished, with the exception of Beecher, who alone was left to tell the melancholy news to the King, who is said to have been so depressed as to have never smiled again. Such was the intemperance of the English, during the reign of Queen Elizabeth, that at a feast given to the Queen by the Earl of Leicester, at Kenilworth Castle, in addition to other intoxicating liquors, 365 hogsheads of beer alone was drank, which amounted to 23,000 gallons. Such was the esteem in which our forefathers were held by other nations, on account of their hospitality to the Prisoner at the Bar, that England rejoiced in the unenviable distinction of being called "The land of drunkards."

In the 18th century the people seem to have lost all shame, and went to drinking establishments for the express purpose of getting drunk. The agents of the Prisoner were, however, considerably more honest then than they are now-a-days, for they told their business out plainly, instead of putting up sign-boards with "Travellers' Rest," "The Rising Sun," "Victoria Inn," "Wellington House," "Emigrants' Home," or other similar falsehoods, they used to let the community know precisely what their business was; and "*Drunk for a Penny—Dead Drunk for Twopence, and clean straw for nothing*" was no uncommon sign-board. Thus, while my learned friend, the Counsel for the Prisoner, boasts of the acquaintance and familiarity of his client with the great men of the world, you, gentlemen, will be able to judge whether such acquaintance was of any material advantage to them.

The learned Counsel, in speaking of the mildness of the Prisoner at the Bar, attempts to excite your sympathies by representing his client as an abused character. This, I might remark, has been the principal plea in the defence—and I am confident, gentlemen, that you were heartily tired of the repetition of it, especially by the learned junior Counsel for the Prisoner—"let him alone and he will not hurt you." True, but gentlemen you will bear in mind that the man

who drinks and gets drunk, and sickens himself, and loses his time, reputation, and wealth is not the only sufferer. It is his family at home, who never touch the Prisoner, who suffer most from him. Supposing a man enters a tavern, drinks to excess, and, under the influence of liquor, comes out and knocks me down, do I not really suffer more at the moment than the man who struck me? Again, was it the man who struck me, or the spirit that was in him, that committed the assault? Most assuredly the latter. Had he not entered that tavern, and drank that liquor, he would as soon have attempted to cut his own throat as to knock down the first person he met. "Let it alone and it will not hurt you." Who suffers most? I would ask the miserable degraded husband who spends his evenings in the murky atmosphere of the tavern bar-room, or the poor wife who sits at home listening to the lonely ticking of the family clock waiting for her partner's return? Who suffers most, the brutal, drunken father, or the affectionate and innocent daughter who blushes to meet that father? Oh! gentlemen of the Jury, it is positively sickening to contemplate, even for a moment, the horrible misery which Alcohol is entailing upon that portion of the community who have no connection with it, and who are doubtless—at least many of them—waiting with breathless anxiety for your verdict in this case, hoping, as they do, to see him, ere long, consigned, so far as his relation of a beverage is concerned, to the tomb of eternal oblivion.

But the learned Counsel for the defence, under the head of the Benevolence of his client, proves more clearly than I have done that those who let Alcohol alone suffer most from him in a pecuniary point of view. He speaks of the Gaols, Lunatic Asylums, Penitentiaries, Police-offices, Courts of Justice, transport ships, and transport Colonies—these, he says, must all be officered, and thus employment is given to many who, without them, might be left destitute. All very true, gentlemen—but who pays those officers, and supports those establishments? Is it not the industrious and sober portion of the community, who are not in the habit of patronizing the Prisoner at the Bar? Here, then, we have the sober people in the community taxed for the maintenance of the votaries of Baccchus. The learned Counsel tells us, with unblushing effrontery, that the old adage is fulfilled in his client, viz., "if he cuts your head, he gives you a plaster"; "if he is compelled, in self-defence, to knock a man down, he provides for his safety and security." But how really stands the case? He cuts your head, and the doctor who never patronizes the Prisoner, is obliged to furnish the plaster without much hope of ever being paid; if he knocks a man down, he sends him to the industrious to take care of him—thus he does the injury, and his enemies are obliged to repair it. The market which he provides for the grain of the farmers has also been adverted to. If the distiller and brewer purchase the grain of the farmers, they sell them their whisky and beer, the effect of which on them is such, that, in many instances, it would be better that their grain had been destroyed by a whirlwind from heaven, than that the means of self-indulgence should have been provided for them. But some one will say, what will you do

with the surplus grain, if you put down distilleries and breweries? I answer—the beneficent Creator of the Universe never intended our earth to smile with plenty, to teem with abundant harvests of grain, the food of his creatures, to be rotted and destroyed by cursed Alcohol, while tens of thousands of human beings lie in Poor-Houses, and huts, and hovels, dragging out a miserable existence by hunger and starvation. Banish Alcohol from the face of the earth, and the country will become so prosperous, under the approving smiles of our great Creator, who sends the rain on the just and the unjust, that we will have consumption for all our produce, by an increased, vigorous, consuming population. Besides, we are not obliged to grow barley any longer than it is profitable for food. Flax is found to be more profitable in the manufacture of cloth than cotton; and our Canadian soil and climate is peculiarly adapted for its cultivation. Let our farmers turn their attention to the growth of flax, and let distilleries and breweries be turned into cloth and other factories, and the advantages of the change, both as regards the agricultural interests and the morality of the community, will be great indeed. Besides this, the improvements in agricultural implements are so great, that the moment that flax, as an article of manufacture, becomes general, slavery will become unprofitable, and, eventually, the Southern slaveholders will be obliged to do that which the liberty boasting Government South of 45° has refused to do—emancipate their slaves.

The learned Counsel for the Prisoner next takes up the various counts in the indictment, and attempts to disprove them. The attempt was, however, as I expected, a miserable failure; and it would be but an insult to your own discernment to go over his arguments upon this point—and, at the close, he tells us, with a coolness that is perfectly refreshing, that we have failed to prove the indictment.

My Lord, and Gentlemen of the Jury—Let murder with the pistol, the dirk, and the bowie-knife—Let robbery, with its dark-lantern and skeleton keys—Let prostitution, with its horrible degradation—Let parricide, with its woeful retribution—Let infanticide, with its monstrous brutality—Let —, but why need I go on enumerating—Let all the crimes that ever men or devils thought of, be heaped together in one black and loathsome mass, and they would form but a dark, a gloomy, yet a truthful history of the career of the Prisoner at the Bar.

(Here the learned Counsel read a long list of crimes directly and indirectly produced by the influence of Alcohol.)

Gentlemen, I have now gone over the learned Counsel's address, and shall briefly call your attention to the evidence of the witnesses for the prosecution. I would especially call your attention to a statement of Mr. Johnston, the first witness, when asked if the Prisoner at the Bar caused him to lose much time, he answered, that in his drinking days he had never been in the habit of losing much time. Upon the question being pressed in a different form, he said he could do as much work now in ten days, as he had been able to

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do then in sixteen—that is, he lost, through the influence of the Prisoner at the Bar, four months out of the year. Now, I deem this evidence of the utmost importance. It will be remembered that the witness was not one of those persons who was in the habit of losing whole days at the tavern—and his loss of time must, therefore, be attributed to physical debility brought on by the Prisoner. You will see, gentlemen, that this evidence completely sets aside the statement, that he imparts strength to the system. You will also bear in mind the execution which Mr. Johnston witnessed in the old country, where the unfortunate victim stated that had he never been acquainted with Alcohol, he might have been an industrious citizen, and a useful member of society, instead of suffering the extreme penalty of the law on the gallows. The second witness, gentlemen, is perhaps the most important that has been examined. He had once been an agent of Alcohol, and states that a more degrading business can scarcely be imagined. Permit me to call your special attention to a few of the facts elicited from this witness; and, in doing so, I shall advert to the fact, that the very best liquor in the country is, after all, but a miserable compound, and very far from what it is called, or professes to be. You will, doubtless, remember that he stated, that out of common whisky he had made brandy, rum, gin, peppermint, and noyau. Well, if he simply manufactured those articles out of the whisky, no more harm would be done than by selling that article pure. But mark a few of the ingredients used by those conscientious professing Christian agents of Alcohol—agents of the devil I should rather say—to pamper to the depraved appetites of their customers, and to give them a helping hand to ruin here, and eternal ruin hereafter, oil of vitriol, oil of almonds, chloride of lime, animal charcoal, oil of juniper, boiled prunes, &c. These, as you are aware, stand at the very top of the list of poisons. Now, gentlemen, this is the testimony of one of your own citizens as to the ingredients commonly used in the adulteration of liquor. Permit me to read you one or two extracts on this subject. (Here the Attorney-General read lengthy extracts from an Essay on Brewing, published in the Library of Useful Knowledge, from the Wine Guides, &c., shewing how liquors are adulterated, how Alcohol is substituted, and the drinkers of liquor cheated and poisoned by deleterious, narcotic, and stimulating drugs, medicines and abominable mixtures), and then proceeded—You will here be able to discern what avarice has invented, and the most heartless cupidity studied, to enrich itself at the expense of the health and morals of the community.

The third witness, gentlemen, has clearly proved the state to which a close intimacy with the Prisoner will bring people, as in his own case, that of his partner, and the lady he met in New York. But why need I proceed—you, gentlemen, are no strangers to the demoralizing influences of the Prisoner at the Bar. You have each seen it, in some of its various forms, in your everyday intercourse in the world. I would go farther, and venture to say that there is not one individual within my hearing, in this crowded Court

who can solemnly say—"I have not, nor has any one of my relations suffered from the influence of the Prisoner at the Bar."

Gentlemen, I now trust I have proved, to your satisfaction, the guilt of the Prisoner, and, in conclusion, I would beg to add, that if such felons as the Prisoner are allowed to escape, then farewell industry, farewell peace, farewell Christianity, and everything noble and glorious, and free. Rapine and murder will stalk through our land—our army will become contaminated with the pestilential vapor of treason and insubordination—our navy a band of dangerous pirates. Every effort to evangelize the world will be lost. We will become an easy prey to our enemies. Ichabod will be written in characters of blood on the face of our country, and we will soon become extinct among the nations.

CHIEF JUSTICE'S CHARGE.

Gentlemen of the Jury,—On a lengthy indictment containing eight counts, the prisoner is arraigned for combination and conspiracy—bringing into contempt Religion and all moral and social order by inducing men to neglect their domestic duties, and to commit breaches of the Sabbath and of the public peace—robbing communities, families, and individuals, of wealth and happiness, and leaving them in poverty and wretchedness—setting at naught the law of the land by instigating men to commit robberies, murders, suicides, and various other felonies, as by the indictment more fully appears.

Gentlemen, it is hardly necessary for me to caution you, a respectable intelligent Jury, to divest your minds of all prejudice as to the question of the guilt or innocence of the prisoner caused by what you may have heard out of this court and to confine yourselves solely to, and find your verdict in accordance with, the evidence.

Gentlemen, the learned Attorney General in his eloquent opening and closing addresses has made out a strong case against the prisoner, but you are to pay no attention to his statements, nor to those of the learned Counsel who has so ably conducted the case for the prisoner, except so far as they are borne out by the testimony.

(Here the learned Chief Justice minutely summed up the evidence—explained the law bearing on the case, and proceeded as follows:—

Gentlemen, it appears to me that the question you have to try is:—"Has the prisoner at the bar been the cause of the black catalogue of crimes with which he stands charged?" Whether the total suppression or the free agency of the prisoner would be most conducive to the prosperity of the community at large?

The defence does not disprove the main points of the evidence for the prosecution, but seems to rest:—

1st.—On the good acts of the prisoner.

2nd.—That crimes have been committed which he was not cognizant of, and

3rd.—That he has only retaliated when he has been abused.

As to his good acts were a common felon placed on his trial for murder and robbery, we would feel indignant at having a law im-

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posed on us that would acquit him on evidence merely shewing that he had done good acts, if such were the case, we could never have a conviction, and the consequence would be that life and property would be in constant jeopardy. As to the crimes, the prisoner has not been cognizant of, you will bear in mind that he is only charged with being the cause of three-fourths of the crime which disgraces our country. As to his retaliating on those only who interfere with him, the plea seems to be absurd, as it is the innocent wives and children who never taste strong liquors, that suffer the greatest anguish of body and mind by them—and those who never interfere with him are taxed for the injuries committed by him. Again.—it is contended that it would be monstrous to deprive thousands of people of the highest respectability of their joys and profits and social comforts, because a mass of individuals suffer hardship for abusing those comforts.

It is contrary to the spirit of the age, and to common sense that the great majority of the community should by any means suffer hardship for the benefit of the few,—such slavery should not be tolerated by a free and enlightened people. We should no longer ask why it is that scarcely a Session of Parliament or a public Council passes without acts or amendments to acts for the restriction or regulation of the Prisoner. Were a dangerous maniac at large doing some good acts, and destroying life and property on his march, we would at once place him in solitary confinement.

By 6 and 7 Wm. 4. Cap. 38, Sec. 12: "Any person found under the influence of intoxicating liquors in streets or thoroughfares is liable to fine or imprisonment."—And at present a Bill is before the House of Commons having for its object the reduction of the number of public Houses in Scotland. And yet we are informed from the most authentic sources, that three-fourths of the crime and degradation of our country are attributable to the agency of the Prisoner. This cannot be said of less enlightened nations, who have swept from their Statute Books all laws relating to the Prisoner, and by one act totally suppressing him, have relieved their respective countries of incalculable expense, crime, and misery.

Gentlemen, if you believe the evidence for the prosecution, that the prisoner has been the curse of the country, the cause of three-fourths of its crime and pauperism, you will find him guilty.

On the other hand, gentlemen, it has been stated that the services of the Prisoner are indispensably necessary,—that great and good men in all ages and of the most enlightened nations, and Ladies of the highest distinction have patronised him,—that he has made warriors brave and caused them to win the battles of their country,—gave eloquence to our most illustrious Statesmen—inspired the poets—increased the trade and commerce of the nation—gave employment to millions—comforted the afflicted—prevented contagion and gladdened the hearts of men—that he is a good creature—a friendly social companion in whom there is no guile, and who has been eminently successful in restoring health and saving life.

Gentlemen, if you believe the evidence for the Prisoner which is

strongly corroborative of these statements,—and that the benefit derived from his services more than compensates for the evils he entails—you will acquit him.

Gentlemen, I leave these matters with you—give this important trial your calm and dispassionate consideration—weigh well the evidence, and remember that the Prisoner is entitled to the benefit of any doubts which may arise in your minds in consequence of conflicting testimony, or otherwise—and that our wise and humane law says, “It is better that 99 guilty persons should escape, than that one innocent person should suffer.

The Jury retired, and in about 15 minutes returned with a verdict of “Guilty.”

Clerk of the Crown,—Gentlemen, have you agreed upon your verdict? How say you? Is the Prisoner at the Bar Guilty or not?

Foreman,—Guilty, but recommended to mercy.

Clerk of the Crown,—Prisoner, you have been found guilty of the crimes laid to your charge. What say you why sentence of death and execution should not be passed on you?

Counsellor Craig,—My Lord, I hold in my hand a very respectful petition of the Prisoner, which, with your Lordship’s permission, I will read.

Chief Justice,—Proceed Mr. Craig.

Crier,—Silence in Court.

To the Right Honorable, the Chief Justices of the Court of Common Sense.

The Petition of Ebrieties Alcohol of the Town of Drunkenness, in the Parish of Dissipation, Spirit Vender, now arraigned for Murder, Treason, Conspiracy, &c.,

Humbly Sheweth:

That the design of your Petitioner from the earliest period of his existence to the present, has been to promote the enterprise and wealth of nations; in the enlargement of Cities and Towns, by the erection of extensive Custom-houses, Stores, Distilleries, Breweries, and dwellings for families engaged in his manufacture,—Gin Palaces, Hotels, Taverns, &c., for his supporters,—Court Houses, Soldiers, and Police-men’s Barracks, Work-houses, Houses of Correction, Hulks, Goals, Lunatic Asylums, and Penitentiaries, for the suppression of his abusers.—

That your Petitioner has also extended the Commerce of the Country by Ship-building, and in the employment of Ships and Crews, and all kinds of Land conveyances, to export him and to transport his abusers:—he has also extended trade by the employment of numerous Wholesale and Retail Spirit Merchants, with a vast amount of Capital,—Excise and Revenue officers, and countless multitudes of Workmen to manufacture and vend him,—and added to the general benefit of the nation by giving employment to Senators, Judges, Magistrates, Sheriffs, Coroners, Policemen, Gaolers, Turnkeys, and Hangmen, to regulate him, and to suppress his abusers, and to Tradesmen of all descriptions for the repairing of the

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breaches made by weak-minded individuals who have taken improper liberties with him :—

Your Petitioner further begs to state that with the exception of Turks, and an exclusive dealing, demure looking set of drones called 'Teetotalers' he has been on intimate terms of friendship with all nations, societies, and families who have justly appreciated the worth of your Petitioner, who not only relieves them from Pain, Languor, Qualms of Conscience, and Harrowing Cares, but calls up the most pleasing recollections—makes bashfulness and cowardice give way to confidence and bravery—diffuses a most delectable sensation through the whole system—makes the wit ready—the humour free and rich—the imagination prolific—the heart light and happy, and calls up all the faculties of the mind to the highest point of action.

That your petitioner has been present at the domestic circle, and welcomed the anxiously looked for return of Fathers, Husbands, Sons, and Brothers, &c., from distant countries, to spend their Christmas and other festivals, and there caused mirth and joy to banish the thought of by-gone hardships, and future speculation.

That he has also been the principal guest at the social circle, where jovial companions encircle the festive board, groaning beneath its load of luxury—where the sparkling Champagne inspired the tones of eloquence—where the mirthful song—the well timed jest—the pleasing anecdote—the music and the merry dance, all got up and prompted by your Petitioner, inspired the social throng with pleasure and delight.

Your Petitioner further begs to state that his services have been absolutely necessary in Emigrant, Fever and other Hospitals, and at sick beds where he has not only prevented contagion and revived and cheered drooping spirits, but saved numerous lives for which he has received the highest credit from patients and the most unqualified approbation of the Medical Profession, and that through his influence and unwearied exertion, large tracts of Van Diemen's Land have been colonized, and evil designing wicked people sent out of the world.

That your Petitioner has united all national, secret, and other societies (except a frozen-hearted set of fellows calling themselves Sons of Temperance) in terms of the closest, most affectionate, and brotherly bonds, and always assisted them at their dinners, evening's amusements, speeches, and general routine of business. That in private life, and in public society, in family or other dissensions, in the common intercourse of business, in all kinds of weather, at all annual and other festivals, in prosperity and in adversity, in sickness and in health, at births, baptisms, marriages and deaths, in joy and grief, in sunshine and in shade your Petitioner has been present, and took an active part as principal guest, peace maker, the intimate friend and companion, the fellow-traveller, family physician, chief mourner, and general preserver of the human family, from the cradle to the grave.

And now, after having enjoyed long and uninterrupted liberty, been treated with the highest possible esteem and respect, and hon-

ored as the beloved guest in the private society, at the public dinners and grand entertainments of kings, queens, and princes, noblemen and ladies of the highest distinction, and, generally, at all feasts and parties of pleasure of professing Christians, to be brought up as a felon in frozen Quebec, and tried like a malefactor by a cowardly, assuming, and unrelenting set of enemies, calling themselves Sons of Temperance, most of whom he has been on intimate terms of friendship with—and for acts committed solely in self-defence, makes your Petitioner (with great respect to your Lordship) tremble with indignation.

Your Petitioner, therefore, humbly hopes your Lordship will take into your favorable consideration the great benefits he has conferred on mankind, the abuse he has received, while acting in self-defence, from those he so often served, and allow him to be discharged, free of punishment.

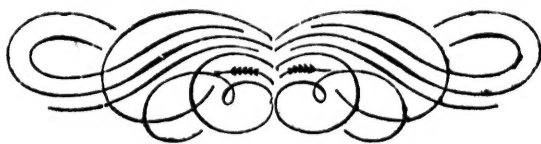
And your Petitioner, as in duty bound, will ever *Fight*.

S E N T E N C E.

Prisoner, after a patient investigation, you have been found Guilty, by a Jury of your fellow-countrymen, of the crimes laid to your charge. Some extenuating traits in your character, and the recommendation of the Jury in your behalf, together with the petition read by your Counsel, relieve me of the painful duty of passing upon you the extreme sentence of the law.

The sentence of the Court upon you is—that you be branded as a poison, and banished from the dwellings of men as the greatest curse that ever came upon the human family—and that you be kept in solitary confinement, on the Apothecary's shelf, during the term of your natural life, except in cases of extreme emergency, when your services may be required for the public, by your Gaoler, who will see that your brand is placed in such a conspicuous position as will prevent your doing future mischief.

Clerk of the Crown—"Sheriff, remove the Prisoner."



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